

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

NETWORK-1 SECURITY SOLUTIONS, INC., a
Delaware corporation,

Plaintiff,

vs.

Alcatel-Lucent USA Inc., et al.

Defendants.

Case No. 6:11-cv-492 LED

JURY TRIAL DEMANDED

AGREED MOTION TO DISMISS

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the terms of a separate agreement, the Plaintiff, Network-1 Security Solutions, Inc. (“Network-1”) and Defendants NEC Corporation and NEC Corporation of America (“NEC”) have agreed to settle, adjust, and compromise all claims in the above-captioned action. Network-1 and NEC, therefore, move this Court to dismiss all claims between Network-1 and NEC with prejudice to the re-filing of same.

The parties further move the Court to order that all costs and expenses relating to this litigation (including attorney and expert fees and expenses) shall be borne solely by the party incurring same.

A proposed Order accompanies this motion.

Dated: February 14, 2013

By: /s/ Sean A. Luner

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***ATTORNEYS FOR PLAINTIFF,
NETWORK-1 SECURITY SOLUTIONS,
INC.***

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this February 14, 2013 with a copy of this document via the Court's CM/ECF System per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Sean A. Luner

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies pursuant to Local Rule CV-7(h) that the relief requested in this motion is agreed.

/s/ Sean A. Luner